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UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

THE UNITED STATES OF AMERICA,)	
)	CASE NO: 2:17-mj-00947-PAL
Plaintiff,)	
)	STIPULATION TO CONTINUE
vs.)	PRELIMINARY HEARING
)	(THIRD REQUEST)
BOBBY THOMPSON and)	
RANDY HUMPHREY,)	
)	
Defendants.)	

IT IS HEREBY STIPULATED AND AGREED, by and between DAYLE ELIESON, United States Attorney for the District of Nevada, and CHRISTINA SILVA, Assistant United States Attorney, counsel for United States of America, and Nicholas Woolridge, Esq., counsel for Defendant, BOBBY THOMPSON, and Matthew Lay, Esq., counsel for Defendant, RANDY HUMPHREY, that the preliminary hearing date in the above-captioned matter, currently scheduled for February 16, 2018, at 4:00 p.m., be vacated and continued for thirty (30) days, at a date and time convenient to this Court.

1 This Stipulation is entered into for the following reasons:

- 2 1. The parties have initiated discussions regarding resolving the case pre-indictment, and
3 negotiations have been ongoing. Additional time is needed for defense counsel to review
4 discovery, including the defendants' statements, and for counsel to discuss the discovery
5 with their clients. Additionally, the parties requested certain items of discovery from law
6 enforcement, and were awaiting the production of that discovery. Law enforcement
7 recently determined that the requested discovery does not exist.
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- 9 2. The Defendants also need additional time to discuss a potential pre-indictment resolution
10 with their clients.
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- 12 3. All parties agree to the continuance.
- 13 4. The Defendants are currently detained pending trial but do not object to a continuance.
- 14 5. Denial of this request for continuance could result in a miscarriage of justice.
- 15 6. The additional time requested herein is not sought for the purposes of delay, but to allow
16 for a potential pre-indictment resolution of the case.
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- 18 7. The additional time requested by this stipulation is allowed, with the Defendants'
19 consent, under Federal Rule of Procedure 5.1(d).
- 20 8. This is the third (3rd) request for a continuation of the preliminary hearing for all
21 Defendants.
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1 DATED this 14th day of February, 2018.

2 Respectfully submitted,

3 **For the Defendants:**

For the United States:

4 //s//

5 NICHOLAS WOOLRIDGE, ESQ.
Counsel for Bobby Thompson

//s//

CRISTINA D. SILVA
Counsel for United States

6 //s//

7 MATTHEW LAY, ESQ.
Counsel for Randy Humphrey

1 8. This is the third request for a continuation of the preliminary hearing for all Defendants.

2 **CONCLUSIONS OF LAW**

3 The ends of justice served by granting said continuance outweigh the best interest of the
4 public and the defendants, since the failure to grant said continuance would be likely to result in
5 the miscarriage of justice, would deny the parties herein to potentially resolve the case prior to
6 indictment, and further would deny the parties sufficient time and the opportunity within which
7 to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account
8 the exercise of due diligence.
9

10 The continuance sought herein is allowed, with the defendants' consent, pursuant to
11 Federal Rules of Procedure 5.1(d).
12

13 **ORDER**

14 Based upon the pending Stipulation of the parties, and good cause appearing therefore,

15 IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for
16 February 16, 2018, at 04:00 p.m. be vacated and continued to March 19, 2018
17 at 4:00 p.m.
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19 IT IS SO ORDERED this 23rd day of February, 2018.
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21 
22 THE HONORABLE PEGGY A. LEEN
23 UNITED STATES MAGISTRATE JUDGE
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